



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	CASE NO. 8:09CR287
)	
Plaintiff,)	
)	
vs.)	ORDER GRANTING LEAVE TO
)	SUBPOENA A NECESSARY
YER YANG,)	WITNESS IN FORMA
)	PAUPERIS
Defendant.)	

This matter comes before the Court by Defendant Yer Yang, who is seeking permission to serve a subpoena in forma pauperis and without prepayment of the witness fee or costs associated with serving the subpoena upon her co-defendant, Lee Vang. Defendant claims that subsequent to the arrest of both codefendants, co-defendant Lee Vang wrote a letter which exculpates, in whole or in part, Ms. Yang. Mr. Vang is scheduled for a plea before Judge Strom on March 1, 2010 at 1:30 a.m. in Courtroom # 5 in the United States Courthouse.

On July 31, 2009, this Court determined that Ms. Yang is eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A and the Amended Criminal Justice Act Plan for the District of Nebraska. See, filing #7.

1 cert copy USM

Subpoena issued 2/18/10

Ms. Yang further moves this Court to issue an order directing the United States Marshal Service to serve Mr. Lee Vang at the time and place set out above without prepayment of costs or fees.

Finding good cause, this Court HEREBY ORDERS that defendant's motion is granted and the United States Marshal Service shall serve the subpoena in forma pauperis and without prepayment of any fees or costs associated therewith and make return as provided by law.

The Clerk is directed to issue the subpoena and to deliver it with sufficient copies, along with a copy of this order to the Marshal Service forthwith.

Dated this 18th day of February, 2010.

BY THE COURT:


United States Magistrate Judge